

REMARKS

1. New Legal Representative

The undersigned has been appointed to represent Applicant before the United States Patent and Trademark Office. A new Power of Attorney will be filed in due course. Please direct all future correspondence to the undersigned attorney.

2. In the Claims

Claims 1-12 were previously canceled. Claims 13-20 are pending in the present application, and are canceled in the present amendment. New claims 21-25 have been introduced. Therefore, upon entry of the present amendment, claims 21-25 will be subject to examination.

In the Office Action dated 12/29/2006, the Examiner has rejected claims 13-20 under 35 U.S.C. 103(a) because allegedly obvious in view of U.S.P.N. 5,601,959 to Brault ("Brault").

Because claims 13-20 are now being canceled, the Examiner's rejection is moot as to those claims. Because new claims 21-27 are now being introduced, it will be shown hereafter that new claims 21-27 are not obvious in view of Brault.

Applicant submits that the patentable differences between Brault and Applicant's invention have been misapprehended in the previous correspondence. In order to facilitate the present discussion, some highlights of the two inventions will be first compared in Table I below. All references to Applicant's disclosure are made by indicating the paragraph numbers in published application US2005/0000633 A1.

//

//

//

//

Table I
Highlights of Brault's and Applicant's Inventions

BRAULT	APPLICANT
The releasable substrate <u>must have two layers</u> , of which a first one is <u>transparent and dielectric</u> and is <u>positioned over</u> a second, <u>conductive</u> layer. (Col 7, ll. 7-10). The surface of the dielectric layer must be <u>rough and slightly abrasive</u> . (Col 7, ll. 49-50).	The image is printed on a roll of a <u>single transfer sheet paper</u> . (Paragraph [0018]).
A computer distributes an <u>electric charge</u> over the second, dielectric layer, forming a latent image. Toner is fixed over the latent image at a <u>successive</u> station. (Col. 4, ll. 51-62).	<u>Any printing system</u> based on an electrostatic printer may be used. (Paragraph [0019]).
The image is created <u>on top of</u> the second, dielectric layer prior to transfer. (Col. 5, ll. 8-12; Fig. 2). No other layers are superposed over the image.	A sealant is <u>coated over</u> the image prior to transfer, in order to protect it from distortion and irregularity (Paragraph [0020]) and from smudging (Paragraph [0024]).
The image is transferred to a permanent receptor. (Col. 5, ll. 12-13). The <u>conductive carrier sheet is then separated from the dielectric layer</u> . (Col. 6, ll. 64-67; Fig. 11).	The transfer sheet is positioned against a wall and peeled <u>off in its entirety</u> . (Paragraphs [0026] – [0027]).
The result of this process is an image attached to the permanent receptor, <u>sandwiched</u> between the permanent receptor and the dielectric transparent layer. (Col. 7, ll. 1-6; Fig. 4).	The result is an image <u>exposed to the external environment</u> that can be later varnished or be painted over if desired. (Paragraphs [0030] and [0037]).

In particular, the following Table II summarizes a few examples where Brault teaches away from Applicant's invention.

Table II

Examples of Where Brault Teaches Away from Applicant's Invention

BRAULT	APPLICANT
Printing on a paper releasable substrate is <u>completely unsuitable</u> . (Col. 1, ll. 66-67).	Paper is a suitable releasable substrate. (Paragraph [0019]).
The releasable substrate <u>must</u> include a dielectric and a conductive layer. (Col. 7, ll. 7-10).	Only paper (i.e. a single dielectric layer) may be employed as a releasable substrate. (Paragraph [0019]).
The print surface <u>must</u> have a rough and slightly abrasive surface. (Col. 7, ll. 49-50).	Applicant requires no restrictions on print surface (i.e., any surface type may be employed).
A low gloss image on the receiving surface is <u>undesirable</u> . (Col. 1, l. 36).	Any gloss level is acceptable on the receiving surface. (Paragraphs [0028], [0030]).
The image transferred on the receiving surface is inherently <u>sandwiched</u> between the receiving surface and the dielectric layer, due to the nature of the transfer process. (Col. 7, ll. 1-6; Fig. 4).	The image is exposed to the external environment. A varnish may be applied on the image after the transfer, and of any gloss level. (Paragraph [0030]).

It is particularly noteworthy that Brault specifically teaches that the transferred image must be sandwiches between the permanent receptor and the dielectric layer, while Applicant teaches a method for providing an image on a permanent receptor exposed to the outside environment that can be left as such or reworked.

Obviousness requires that the cited prior reference teach or suggest every limitation of the claimed invention. On the contrary, Brault's disclosure does not teach nor suggest Applicant's invention. Instead, Brault expressly uses language in several instances that expressly teaches away from Applicant's invention (see, for instance, the use of the term "must" in the comparisons shown above).

Applicant's new claims 21-27 summarize the above described process steps, using a language that patentably distinguishes from Brault, so that the language of Applicant's claims cannot be read to encompass Brault's disclosure.

For the above described reasons, Applicant's new claims are not obvious in view of Brault, and a notice of allowance for the present application is respectfully requested.

CONCLUSION

In view of the amendments and remarks submitted herein, Applicant respectfully requests that a timely a Notice of Allowance be issued in this case.

Should the Examiner have any comments or wish to discuss this matter, the undersigned attorney can be contacted by telephone, fax, or e-mail at the below indicated address.

Date: June 29, 2006

Respectfully submitted,

/Franco A. Serafini/

Franco A. Serafini, Registration No. 52,207
Attorney for Applicant
Tel. (858) 456-2898
Fax: (858) 225-3920
E-Mail: franco@patentconcepts.com

SERAFINI ASSOCIATES
7660 Fay Avenue, Suite H378
La Jolla, CA 92037